

PATENT
ATTY. REF. NO. 60114

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of
DIGIMARC et al.

Art Unit: 2625

Serial No.: 09/504,239

Filed: February 15, 2000

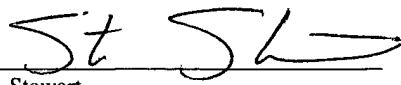
For: DATA TRANSMISSION BY
WATERMARK PROXY

Examiner: J. Patel

Date: September 18, 2003

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on September 18, 2003, as First Class Mail in an envelope addressed to: MAIL STOP RCE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.


Steven W. Stewart
Attorney for Applicant

RECEIVED

SEP 25 2003

Technology Center 2600

INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants submit herewith information of which they are aware, and which they believe may be material to the examination of the application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. The information is listed on the attached Form PTO-1449.

The attached Form PTO-1449 some lists information previously cited in U.S. Patent No. 6,577,746 (filed as appl. no. 09/473,396). Applicant relies on, *inter alia*, this application to establish an earlier effective filing date of this application under 35 U.S.C. § 120. Consequently, and pursuant to 37 C.F.R. § 1.98(d), applicant has listed this information without supplying copies of the information itself. The attached Form PTO-1449 also lists EP975147 and WO9820411 (copies enclosed) and US Patent Document Nos. 6314457, 6439465, 6577746, 2001-0028725, 2002-0010684, 2002-0023148, 2002-0037091 and 2002-0075298.

The submission of information on the attached Form PTO-1449 is not intended as an admission that any such information constitutes prior art against the claims of the application under examination. Applicants do not waive any right to take any appropriate action to antedate or otherwise remove any information from the attached Form PTO-1449.

No fee is required since this document is being submitted with a Request for Continued Examination.

If a fee is required, please charge to Deposit Account No. 50-1071 any fees that may be required for considering this Information Disclosure Statement under 37 C.F.R. § 1.17(p).

Date: September 18, 2003


Respectfully submitted,

Customer Number 23735

DIGIMARC CORPORATION

Phone: 503-885-9699
FAX: 503-885-9880

By



Steven W. Stewart
Registration No. 45,133

Please type a plus sign (+) inside this box → +

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	09/504,239
Filing Date	February 15, 2000
First Named Inventor	Davis et al.
Group Art Unit	2625
Examiner Name	J. Patel
Attorney Docket Number	60114

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Subclass
		Number				
	1	3984624	Waggner	Oct., 1976		
	2	4296326	Haslop et al.	Oct., 1981		
	3	4297729	Steynor et al.	Oct., 1981		
	4	4313197	Maxemchuk	Jan., 1982		
	5	4379947	Warner	Apr., 1983		
	6	4395600	Lundy et al.	Jul., 1983		
	7	4528588	Lofberg	Jul., 1985		
	8	4547804	Greenberg	Oct., 1985		
	9	4618257	Bayne et al.	Oct., 1986		
	10	4672605	Hustig et al.	Jun., 1987		
	11	4675746	Tetrick et al.	Jun., 1987		
	12	4855827	Best	Aug., 1989		
	13	4908836	Rushforth et al.	Mar., 1990		
	14	4969041	O'Grady et al.	Nov., 1990		
	15	5040059	Leberl	Aug., 1991		
	16	5062666	Mowry et al.	Nov., 1991		
	17	5216724	Suzuki et al.	Jun., 1993		
	18	5243423	DeJean et al.	Sep., 1993		
	19	5291243	Heckman et al.	Mar., 1994		
	20	5321470	Hasuo et al.	Jun., 1994		
	21	5374976	Spannenburg	Dec., 1994		
	22	5416307	Danek et al.	May, 1995		
	23	5469222	Sprague	Nov., 1995		
	24	5521722	Colvill et al.	May, 1996		
	25	5530759	Braudaway et al.	Jun., 1996		
	26	5568550	Ur	Oct., 1996		
	27	5598526	Daniel et al.	Jan., 1997		
	28	5617119	Briggs et al.	Apr., 1997		
	29	5636292	Rhoads	Jun., 1997		
	30	5652626	Kawakami et al.	Jul., 1997		
	31	5663766	Sizer, II	Sep., 1997		
	32	5664018	Leighton	Sept., 1997		
	33	5710636	Curry	Jan., 1998		
	34	5719939	Tel	Feb., 1998		
	35	5727092	Sandford, II et al.	Mar., 1998		

RECEIVED
SEP 25 2003
Technology Center 2600

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

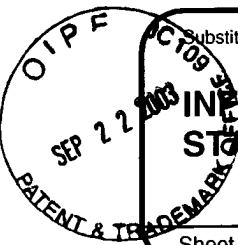
Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → +

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet **2** of **2**

Complete if Known

Application Number	09/504,239
Filing Date	February 15, 2000
First Named Inventor	Davis et al.
Group Art Unit	2625
Examiner Name	J. Patel
Attorney Docket Number	60114

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Subclass
		Number				
	36	5735547	Morelle et al.	Apr., 1998		
	37	5745604	Rhoads	Apr., 1998		
	38	5790693	Graves et al.	Aug., 1998		
	39	5790697	Munro et al.	Aug., 1998		
	40	5809160	Powell et al.	Sep., 1998		
	41	5817205	Kaule	Oct., 1998		
	42	5819289	Sandford, li et al.	Oct., 1998		
	43	5862218	Steinberg	Jan. 1999		
	44	5862260	Rhoads	Jan., 1999		
	45	5871615	Harris	Feb., 1999		
	46	5893101	Balogh et al.	Apr., 1999		
	47	5898779	Squilla et al.	Apr., 1999		
	48	5905810	Jones et al.	May, 1999		
	49	5933798	Linnartz	Aug., 1999		
	50	5949055	Fleet et al.	Sep., 1999		
	51	5991426	Cox et al.	Nov., 1999		
	52	6064764	Bhaskaran et al.	May, 2000		
	53	6166750	Negishi	Dec., 2000		
	54	6252963	Rhoads	Jun., 2001		
	55	6314457	Schena et al.	Nov., 2001		
	56	6343138	Rhoads	Jan., 2002		
	57	6345104	Rhoads	Feb., 2002		
	58	6427020	Rhoads	Jul., 2002		
	59	6439465	Bloomberg	Aug., 2002		
	60	6449377	Rhoads	Sep., 2002		
	61	6505160	Levy et al.	Jan., 2003		
	62	6512837	Ahmed	Oct., 2000		
	63	6522770	Seder et al.	Feb., 2003		
	64	6522771	Rhoads	Feb., 2003		
	65	6549638	Davis et al.	Apr., 2003		
	66	6574350	Rhoads et al.	Jun., 2003		
	67	6577746	Evans et al.	Jun., 2003		
	68	6580819	Rhoads	Jun., 2003		
	69	2001/0028725	Nakagawa et al.	Oct., 2001		
	70	2001/0028727	Naito et al.	Oct., 2001		

RECEIVED

SEP 25 2003

Technology Center 2600

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box →



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 3 of 3

Complete if Known

Application Number	09/504,239
Filing Date	February 15, 2000
First Named Inventor	Davis et al.
Group Art Unit	2625
Examiner Name	J. Patel
Attorney Docket Number	60114

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Subclass
		Number				
	71	2002/0009208	Alattar et al.	Jan., 2002		
	72	2002/0010684	Moskowitz	Jan., 2002		
	73	2002/0023148	Ritz et al.	Feb., 2002		
	74	2002/0037091	Terasaki	Mar., 2002		
	75	2002/0075298	Schena et al.	Jun., 2002		

PATENT APPLICATION DOCUMENTS

	1	60/071,983	Levy	1/20/98		
	2	60/114725	Levy	12/31/98		
	3	60/116641	Cookson	1/21/99		
	4	60/198,138	Alattar	4/17/00		
	5	09/185380	Davis et al.	11/3/98		
	6	09/234780	Rhoads et al.	1/20/99		
	7	09/404291	Levy	9/23/99		
	8	09/428359	Davis et al.	10/28/00		
	9	09/465,418	Rhoads et al.	12/16/99		
	10	09/478713	Cookson	1/6/00		
	11	09/504,239	Davis et al.	2/15/00		
	12	09/562524	Carr et al.	5/1/00		
	13	09/574726	Rhoads et al.	5/18/00		
	14	09/625,577	Carr et al.	7/25/00		
	15	09/645779	Tian et al.	8/24/00		
	16	09/689250	Brunk	10/11/00		
	17	09/689293	Tian et al.	10/11/00		
	18	09/761349	Rhoads	1/16/01		
	19	09/765102	Shaw	1/17/02		

RECEIVED

SEP 25 2003

Technology Center 2600

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box →

SEP 22 2003

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 4 of 4

Complete if Known

Application Number	09/504,239
Filing Date	February 15, 2000
First Named Inventor	Davis et al.
Group Art Unit	2625
Examiner Name	J. Patel
Attorney Docket Number	60114

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Int'l Class	Int'l Subclass	T ₆
		Office ³	Number ⁴					
	1	EP.	642 060		Aug., 1995			
	2	EP.	789 480		Aug., 1997			
	3	EP	975 147	(copy enclosed)	Jan., 2000			
	4	WO.	WO95/04665		Feb., 1995			
	5	WO.	WO97/43736		Nov., 1997			
	6	WO.	WO98/20411	(copy enclosed)	May, 1998			
	7	WO.	WO99/36876		Jul., 1999			
	8	WO.	WO00/44131		Jul., 2000			
	9	WO.	WO01/80169		Oct., 2002			

Examiner
Signature

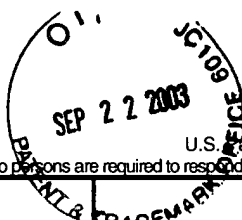
Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 5 of 5

Complete if Known

Application Number	09/504,239
Filing Date	February 15, 2000
First Named Inventor	Davis et al.
Group Art Unit	2625
Examiner Name	J. Patel
Attorney Docket Number	60114

RECEIVED

SEP 25 2003

Technology Center 2600

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	Audio Watermarking Architectures for Secure Digital Music Distribution, A Proposal to the SMDI Portable Devices Working Group by ARIS Technologies, Inc, Mar. 26, 1999, pp. 1-11.	
	2	Audio Watermarking Architectures for Persistent Protection, Presentation to SDMI PDWG, Mar. 29, 1999, J. Winograd, Aris Technologies, pp. 1-16.	
	3	Audio Watermarking System to Screen Digital Audio Content for LCM Acceptance, A Proposal Submitted in Response to PDWG99050504-Transition CfP by ARIS Technologies, Inc., May 23, 1999, Document Version 1.0, 15 pages.	
	4	Boland et al., "Watermarking Digital Images for Copyright Protection", Fifth Int'l Conference on Image Processing and it's Application, Jul. 1995, pp. 326-330.	
	5	Cookson, Chris, General Principles of Music Uses on Portable Devices, presented to SDMI, Mar. 5, 1999.	
	6	Dautzenberg, "Watermarking Images," Department of Microelectronics and Electrical Engineering, Trinity College Dublin, 47 pages, Oct. 1994.	
	7	Levy, "AIPL's Proposal for SDMI: An Underlying Security System" (slide presentation), Mar. 29, 1999, 23 slides.	
	8	Microsoft Response to CfP for Technology Solutions to Screen Digital Audio Content for LCM Acceptance, SDMI, PDWG Tokyo, May 23, 1999, 9 pages.	
	9	Response to CfP for Technology Solutions to Screen Digital Audio Content for LCM Acceptance, NTT Waveless Radio Consotium, May 23, 1999, 9 pages.	
	10	Sandford II et al., "The Data Embedding Method", Proceedings of the SPIE vol. 2615, pp. 226-259, 1996.	
	11	Thomas, Keith, Screening Technology for Content from Compact Discs, May 24, 1999, 11 pages.	
	12	Vidal et al., "Non-Noticeable Information Embedding in Color Images: Marking and Detection", IEEE 1999, pp. 293-297.	
	13	Winograd, J.M., "Audio Watermarking Architecture for Secure Digital Music Distribution," a Proposal to the SDMI Portable Devices Working Group, by Aris Technologies, Inc., Mar. 26, 1999.	
	14	Wolfgang et al., "A Watermark for Digital Images," Computer Vision and Image Processing Laboratory, Purdue, University, Sep. 1996, pp. 219-222.	

Examiner Signature

Date Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.